

Regular Session, 2009

# ACT No. 137

HOUSE BILL NO. 408

BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 3:4274.1 and R.S. 32:402(C)(1), relative to the duties and  
3 powers of forestry officers; to provide for driver's license requirements for certain  
4 operators of firefighting equipment; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:4274.1 is hereby amended and reenacted to read as follows:

7 §4274.1. Appointment of forestry officers; duties and powers

8 To secure the protection of interests relating to forest woodlands, the state  
9 forester may appoint and commission forestry officers who shall enforce the laws,  
10 rules, and regulations for the protection of interests relating to forest woodlands, may  
11 carry weapons concealed or exposed while in the performance of their duties, shall  
12 take such action as is authorized by law, rule, or regulation to protect interests  
13 relating to forest woodlands, and shall be vested with the same authority and powers  
14 conferred by law upon regular law enforcement officers of this state with respect to  
15 issuing civil citations for littering and with respect to ~~the following criminal~~  
16 ~~offenses: arson, littering, theft, burglary, disorderly conduct, disturbing the peace,~~  
17 ~~observed during the performance of their normal duties, and conduct constituting~~  
18 ~~resisting arrest, assault, or battery of a commissioned forestry officer~~ criminal and  
19 other offenses affecting the protection of interests relating to forest woodlands or  
20 affecting the performance of their duties. All forestry officers shall be Peace

Officers Standard Training (P.O.S.T.) certified. Additionally, while on special assignment during any riot, insurrection, or any natural disaster or while in protection of real property of the ~~Louisiana Forestry Commission~~ commission and the property, assets, and resources of the office of forestry, any commissioned forestry officer shall possess all the powers and authority of regular law enforcement officers of this state. Upon the request of any regular law enforcement agency of this state, forestry officers shall prevent and detect crime, apprehend criminals, enforce the criminal and traffic laws of the state, keep the peace and good order in the state in the enforcement of the state's police powers, and perform any other related duties imposed upon them by the legislature.

Section 2. R.S. 32:402(C)(1) is hereby amended and reenacted to read as follows:

§402. All drivers must secure license; exception; emergency vehicle exceptions; military personnel exceptions; violations

\* \* \*

C.(1) Notwithstanding any provision of this Section or any other law to the contrary, the only driver's license required of a full-time, regularly paid operator of an emergency medical vehicle or firefighting equipment employed by the Louisiana Department of Agriculture and Forestry, or a municipality, parish, fire protection district, or other political subdivision of the state, or civilian employees of the U.S. United States military who are required to operate emergency vehicles, shall be a Class "E" driver's license when operating such vehicle or equipment in the course and scope of his employment. The emergency vehicle or firefighting equipment shall be equipped with audible and visual signals as required by Federal Motor Carrier Safety Administration rules.

\* \* \*

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_